

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

**PETER EUGENE HALEY,
Petitioner**

CIVIL DOCKET NO. 5:20-CV-515-P

VERSUS

JUDGE FOOTE

**WARDEN,
Respondent**

MAGISTRATE JUDGE PEREZ-MONTES

J U D G M E N T

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein (ECF No. 9), and after a *de novo* review of the record, including the Objection filed by Petitioner (ECF No. 10), having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that the Petition (ECF No. 1) is hereby DENIED and DISMISSED WITH PREJUDICE as time-barred. *See* 28 U.S.C. § 2244(d). Petitioner's argument regarding the timeliness of his petition fails because even if the Magistrate Judge did erroneously find that the statute of limitations began running before the thirty days during which Petitioner could have appealed the outcome of his state post-conviction relief, the habeas petition was still filed nineteen days late. Further, Petitioner has failed to make the requisite showing that he diligently pursued his rights such that he may be entitled to equitable tolling.

THUS DONE AND SIGNED at Shreveport, Louisiana, on this ^{2nd} ____ day of February, 2021.



**ELIZABETH E. FOOTE
UNITED STATES DISTRICT JUDGE**